
Appropriations Committee

HB 3202

Brief Description: Increasing fees pertaining to water rights.

Sponsors: Representatives Linville and Sommers.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">Increases the fees associated with acquiring a water right by a factor of 13.

Hearing Date:

Staff: Alicia Paatsch (786-7178).

Background:

Under the state Water Code, a person must have a water right for any use of surface water and for all but certain exempted withdrawals of groundwater. A water right is a legal right to use a specified amount of water for a beneficial purpose. The Water Rights Program in Washington is managed by the Department of Ecology (DOE).

The process of acquiring a water right involves a number of steps and the payment of several fees. These fees are established in statute and must be used exclusively for the purpose of carrying out the work and performing the functions of the DOE's division of water resources. An applicant files an application with DOE and pays a minimum examination fee of \$10.00 based on the amount of water involved in the project.

After its examination, the DOE makes a formal report of examination with a recommendation to either accept, deny, or condition the water right application. If a permit is to be issued, the applicant must pay a \$5.00 permit fee. The DOE then issues a permit, specifying a timetable for the applicant to meet in developing the water for a beneficial use. After the applicant has actually started using the water, the applicant sends in a certificate fee of \$5.00 and proof of appropriation, and the DOE issues the final water rights certificate. There are also fees associated with applying to change a point of diversion or place of use, asking for extensions for putting the water to beneficial use, and other services.

Fees were originally set in 1917 and have been subsequently adjusted over the years. The majority of the fees were last adjusted in 1951, when the minimum examination fee was increased from the 1917 fee of \$5.00 to the current fee of \$10.00, although, some fees were last adjusted in 1965, 1987 and, on a temporary basis were changed in 1993.

Summary of Bill:

The fees associated with acquiring a water right are increased to an amount equal to 13 times the current amounts that are set in statute. In addition to increasing the amounts of these fees, the statutory amounts will be automatically increased by the state's fiscal growth factor, beginning in fiscal year 2006.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.